

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA : Hon. Freda L. Wolfson
vs. : Criminal No. 09-399 (FLW)
KHALIF SPIVEY : DETENTION ORDER

This matter having been opened to the Court on the motion of the United States, by Ralph J. Marra, Jr., Acting United States Attorney for the District of New Jersey (Ronnell L. Wilson, Assistant United States Attorney, appearing), in the presence of the defendant and his counsel (David Schafer, Assistant Federal Defender, appearing), for an order pursuant to Title 18, United States Code, Section 3142(e), detaining defendant Ortiz without bail pending trial in the above-entitled matter, and the Court having heard the arguments of counsel at a hearing held pursuant to Title 18, United States Code, Section 3142(f)(1)(E) on June 8, 2009, the Court makes the following findings:

1. Having considered the factors set forth in Title 18, United States Code, Section 3142(g), the Court finds that no condition or combination of conditions will reasonably assure the appearance of defendant Khalif Spivey as required and the safety of the community; and

2. The defendant Khalif Spivey has consented to detention without bail and without prejudice pending trial in the above-entitled matter.

IT IS, therefore, on this 9th day of June, 2009,

ORDERED, pursuant to Title 18, United States Code, Section 3142, that defendant Khalif Spivey be committed to the custody of the Attorney General or his authorized representative pending trial; and it is further

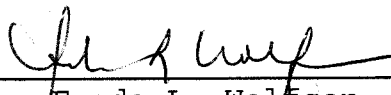
ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Khalif Spivey be confined in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that defendant Khalif Spivey be afforded reasonable opportunity for private consultations with counsel; and it is further

ORDERED, pursuant to Title 18, United States Code, Section 3142(i), that, upon order of this or any other court of the United States of competent jurisdiction or on request of an attorney for the United States, defendant Khalif Spivey shall be delivered to a United States Marshal for the purpose of appearances in connection with court proceedings; and it is further

ORDERED that the motion of the United States for an order detaining defendant Khalif Spivey without bail pending trial is hereby granted, and defendant Khalif Spivey is hereby ordered detained pending trial in the above-entitled matter.

SO ORDERED.



Hon. Freda L. Wolfson
United States District Judge